

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00173

Sharon Nedalynn Eason,
Plaintiff,
v.
Commissioner, SSA,
Defendant.

ORDER

Plaintiff Sharon Nedalynn Eason filed this action pursuant to 42 U.S.C. § 405(g) for judicial review of the Commissioner's decision to deny social security benefits. Doc. 1. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b). Doc. 3.

On May 21, 2022, the magistrate judge issued a report recommending that the Commissioner's decision be affirmed and the case be dismissed with prejudice. Doc. 18. Plaintiff submitted objections on June 2, 2022. Doc. 19. The court reviews objected-to portions of the magistrate judge's report and recommendation de novo. Fed. R. Civ. P. 72; 28 U.S.C. § 636(b)(1).

Plaintiff argues that the ALJ failed to properly evaluate and explain her analysis of Dr. Scribner's opinion. Plaintiff asserts that the ALJ did not sufficiently weigh Dr. Scribner's opinion and discuss its supportability and consistency.

Unlike the recent case relied upon by plaintiff in her objections, the ALJ here pointed to specific evidence and findings to support her conclusion that part of Dr. Scribner's opinion was persuasive and part of it was not. Doc. 11-2 at 21; *see Davidson v. Comm'r of Soc. Sec.*, No. 6:21-cv-000324, 2022 WL 1695773, at *9 (E.D. Tex. May 26, 2022). The record reveals that the ALJ properly considered Dr. Scribner's opinion pursuant to the revised rules for the consideration and articulation of medical opinions for claims filed after March 27, 2017. 20 C.F.R. §404.1520c. The ALJ considered the record as a

whole, properly considered the consistency and supportability of Dr. Scribner's opinion, and fully explained her reasoning for finding the opinion partially persuasive and partially unpersuasive. The ALJ's RFC determination is supported by substantial evidence.

Having reviewed the magistrate judge's report de novo, and being satisfied that it contains no error, the court overrules plaintiff's objections and accepts the report's findings and recommendation (Doc. 18). The court affirms the Commissioner's final administrative decision. This action is dismissed with prejudice.

So ordered by the court on June 16, 2022.



J. CAMPBELL BARKER
United States District Judge